

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

KURODA et al

Atty. Ref.: 1035-560

Serial No. 10/519,559

TC/A.U.: unassigned

Filed: December 28, 2004

Examiner: unassigned

For: HOLLOW NANOPARTICLES HAVING MODIFIED CYSTEINE
RESIDUE, AND DRUG USING THE HOLLOW NANOPARTICLES

* * * * *

August 15, 2005

Mail Stop Sequence

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

This is in response to the Notification of Missing Requirements dated June 29, 2005. Kindly amend the above-identified application as follows:

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AMENDMENTS TO THE SPECIFICATION:

Before the figures, insert the Sequence Listing submitted herewith and substitute same for the Sequence Listing filed December 28, 2004.

REMARKS/ARGUMENTS

Favorable consideration of this application and entry of the foregoing amendment are respectfully requested.

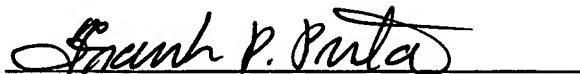
The specification has been amended to include the Sequence Listing submitted herewith on separate sheets. Entry of the Sequence Listing does not raise the issue of new matter as the sequence information contained therein is presented in the application as originally filed. The computer readable copy of the Sequence Listing submitted herewith is the same as the attached paper copy of that Listing.

An early and favorable Action on the merits is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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FPP
1035-560
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Rec'd PCT/PTO 5 AUG 2005

Page 1 of 3

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|--|-----------------------|-------------------------------|---------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. | |
| 10/519,559 | Shunichi Kuroda | 1035-560 | |
| | | INTERNATIONAL APPLICATION NO. | |
| | | PCT/JP03/08244 | |
| 23117 | DOCKETED | I.A. FILING DATE | PRIORITY DATE |
| NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203 | | 06/27/2003 | 06/28/2002 |
| CLT/MATTER # | 1035-560 | CONFIRMATION NO. 7631 | |
| MAIL DATE | 6/29/03 | 371 FORMALITIES LETTER | |
| DUE DATE | Aug 29, 2004 | | |
| FINAL DEADLINE | Oct 29, 2004 | OC000000016392604* | |
| DOCUMENTED BY | Kurt B. | | |

Date Mailed: 06/29/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/28/2004
- English Translation of the IA filed on 12/28/2004
- Copy of the International Search Report filed on 12/28/2004
- Copy of IPE Report filed on 12/28/2004
- Preliminary Amendments filed on 12/28/2004
- Information Disclosure Statements filed on 01/31/2004
- Request for Immediate Examination filed on 12/28/2004
- U.S. Basic National Fees filed on 12/28/2004
- Assignment filed on 12/28/2004
- Priority Documents filed on 12/28/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

12/28/04 ✓ N/A

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Rec'd PCT/PTO 15 AUG 2005

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/519,559 | PCT/JP03/08244 | 1035-560 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

